

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BARBARA DUZIK, et al.,

Plaintiffs,

vs.

ANTHONY KERKHOVE,

Defendant.

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8:03CV280

ORDER

This matter is before the court on the plaintiffs' Motion for Extension of Deposition Deadline as to Dr. Myung Cho (Filing No. 44). The plaintiffs ask the court to extend the deadline for depositions as to Dr. Myung Cho to December 1, 2005, because Dr. Cho is unavailable until that date. The plaintiffs anticipate that Dr. Cho will be unavailable for the December 12, 2005 trial of this matter, and therefore seek to depose her for purposes of trial testimony on behalf of the plaintiffs. Further, the plaintiffs advise the court that the defendant is not prejudiced by such deposition occurring within twelve days of trial because Dr. Cho issued reports regarding her opinions in this matter on September 22, 2004, December 10, 2004, and April 14, 2005, and because Dr. Cho provided testimony in a discovery deposition that was conducted in this matter upon the request of the defendant on August 18, 2005. The defendant did not file an opposition to the motion. Upon consideration and for good cause shown,

IT IS ORDERED:

1. The plaintiffs' Motion for Extension of Deposition Deadline as to Dr. Myung Cho (Filing No. 44) is granted.

2. The plaintiffs have through **on or before December 1, 2005**, to depose Dr. Myung Cho.

DATED this 28th day of September, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge